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Appl. No.

:

10/734,670

Confirmation No.:

6280

Applicant

:

Richard Ginn

Filing Date

December 11, 2003

Title

Needle Apparatus for Closing Septal Defects and Methods for Using

Such Apparatus

Group Art Unit

3731

Examiner

Not Yet Assigned

Docket No.

15457.4002 (formerly 704117.4006)

Customer No.

34313

Commissioner for Patents PO Box 1450 Mail Stop Patent Application Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

Or

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98(a)(2)(i), only copies of foreign patent documents and non-patent literature are enclosed for the convenience of the Examiner.

CERTIFICATE OF MAILING (37 CFR §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated: October 22, 2004

Lynne Fulmer

DOCSOC1:156335.1 15457-1 J2G Applicant Appl. No. Examiner Richard Ginn 10/734,670

Not Yet Assigned

Docket No. 15457.4002 (Formerly 704117.4006)

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

X	This I	OS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b),
that is	(1) witl	nin three months of the filing date of the application, which is not a continued
prose	cution a	application filed under § 1.53(d); or (2) within three months of entry of the national
stage	as set t	forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the
merits	; or (4)	before the mailing of a first Office action after filing a request for continued
exami	nation	under § 1.114. Thus, no fee is required.
		However, if the undersigned is in error in this regard, Applicant respectfully
		requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if
		applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit
		account referenced below.
		However, if the undersigned is in error in this regard, Applicant respectfully
		requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if
		applicable, and a statement under 37 CFR § 1.97(e) is included below, thus
		no fee is required.
	This II	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office
action	on the	merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance
under	37 CFF	R § 1.311.
		The fee due under 37 CFR § 1.17(p) is submitted herewith.
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is
		required. In the event that this IDS is not received before a Final Action or a
		Notice of Allowance, then Applicant respectfully requests that the Office

Applicant Appl. No. Examiner Docket No.

Richard Ginn 10/734,670 Not Yet Assigned 15457.4002 (Formerly 704117.4006)

consider the filing of these	e papers to be submitted under 37 CFR § 1.97(d)
and charge the fee due u	nder 37 CFR § 1.17(p) to the deposit account below
☐ This IDS is being submitted under	r 37 CFR § 1.97(d), that is after a Final Action under 37
CFR § 1.113 or a Notice of Allowance un	nder 37 CFR § 1.311, but before payment of the issue
fee. A statement under 37 CFR § 1.97(e	e) is included below. The fee due under 37 CFR
§ 1.17(p) is submitted herewith.	
	Under 37 CFR § 1.97(e):
Each item contained in this IDS w	as first cited in any communication from a foreign
patent office in a counterpart foreign app	lication not more than three months prior to the filing of
this IDS.	
No item contained in this IDS was	cited in a communication from a foreign patent office
in a counterpart foreign application, and,	to the knowledge of the person signing this statement
after making reasonable inquiry, no item	of information contained in this IDS was known to any
individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.
. Bergemen everlen	A 5
	AUTHORIZATION TO CHARGE FEES:
A check in the amount of is	` ',
-	Account No. 15-0665 for the above fee(s).
	o charge any fees required by the filing of these
• • •	Orrick, Herrington & Sutcliffe's Deposit Account
No. 15-0665 .	
	Respectfully submitted,
	ORRICK, HERRINGTON & SUTCLIFFE LLP
Dated: October 22, 2004 ORRICK, HERRINGTON & SUTCLIFFE	By: James W. Geriak, Reg. No. 20,233
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PTO/SB/08a (08-03)

Approved for use through 7/31/06. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number 10/734,670

Filing Date December 11, 2003

First Named Inventor Richard Ginn

Art Unit 3731

Examiner Name Not Yet Assigned

Attorney Docket Number 15457.4002 (formerly 704117.4006)

(use as many sheets as necessary)

Sheet 1 of

U.S. PATENT DOCUMENTS Examiner U.S. Patent Document Publication Date Name of Patentee or Number-Kind Code^{2 (if known} Initials Cite No.1 MM-DD-YYYY Applicant of Cited Document CA 4.006,747 2/8/1977 Kronenthal et al. 4,669,473 CB 6/2/1987 Richards et al. CC 4,705,040 11/10/1987 Mueller et al. CD 5.474.573 12/12/1995 Hatcher

FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.1	Foreign Patent Document Country ³ Number ⁴ Kind Code ^{5 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials'	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²		
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Examiner	DOCSOC1:156336.1	Date	
Signature	15457-1 J2G	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicants unique citation designation number (optional). ²See Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is govern by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.